

Judge William J. Musseman, Jr.
12/16/2020

1

1 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Page 1

3 Case No. 18-CV-0298-CVE-JFJ

4 - - - - - RICHARD FELTZ, et al., :
5 On behalf of himself :
6 and all others :
similarly situated, :
7 Plaintiff :
VS :
8 BOARD OF COUNTY COMMISSIONERS :
9 OF TULSA COUNTY, et al., :
Defendants :
0 - - - - - X

13 Videotaped deposition of
14 JUDGE WILLIAM J. MUSSEMAN, JR.
15 taken via videoconference before Clifford Edwards,
16 Certified Shorthand Reporter and Notary Public, on
17 December 16, 2020, at 10:09 a.m.

Judge William J. Musseman, Jr.

12/16/2020

102 to 105

	Page 102	Page 104
1	A All defendants?	
2	Q Yes.	1 administration of the bond docket during those
3	A No. No.	2 meetings?
4	Q Beyond these two documents, did you, as	3 A Wow.
5	presiding judge, issue any other policy guidance	4 Q Let me -- I'll be narrower.
6	related to the administration of the bond docket?	5 Did you discuss what the evidentiary
7	A Policy guidance, no.	6 standards should be for anything he was considering
8	Q Did you issue or create any training	7 during the administration of the bond docket?
9	documents with regard to the administration of the	8 A I am sure we did. I don't -- under your
10	bond docket?	9 definition or classification of evidentiary
11	A There were training documents produced,	10 standard, I -- I don't know, but -- but I think
12	but I think at a later time. At this time, I don't	11 there were conversations that would barely fall
13	think so.	12 under that broad umbrella.
14	Q Did you -- did your administrative chief	13 Q Did you discuss with Judge Hiddle who he
15	at the time, which I believe was Judge Moody,	14 could hear evidence from during the administration
16	produce any policy guidance for the judges that	15 of the bond docket?
17	would be presiding over the bond docket with regards	16 A Yes.
18	to AO-9 and 10?	17 Q And who did -- did you provide him with
19	A Policy guidance, not that I know of. I	18 guidance as to who he could hear information from?
20	just think counsel in discussion.	19 A I tried, I thought.
21	Q And any training or -- any training	20 Q Okay. And who did you suggest that he
22	documents that he might have issued with regard to	21 could take information from for the purposes of
23	AO-9 and 10?	22 making findings on the bond docket?
24	A No.	23 A The defendant, his lawyer, State,
25	Q Did you hold any meetings to explain with	24 whatever they had to present.
		25 Q Did you suggest that he could also take
	Page 103	Page 105
1	all of the judges who would be presiding over --	1 into account anything pretrial services shared
2	strike that.	2 during the administration of the bond docket?
3	So my understanding is that after these	3 A I -- boy. I don't have that specific
4	were issued, there was a single judge that was going	4 memory, but I can't imagine that I did not.
5	to preside over the bond docket; is that right?	5 Q What about any bail bondsmen in the room,
6	A Yes.	6 did you suggest that he could take that as a part of
7	Q And that was Judge Hiddle?	7 the evidence he was considering for purposes of
8	A Yes.	8 setting bond?
9	Q Did you have conversations with Judge	9 A No. I don't think we ever discussed it.
10	Hiddle regarding the administration of the bond	10 Q Okay. Did you discuss the ability of --
11	docket after issuing these two administrative	11 did you discuss what findings he needed to make for
12	orders?	12 purposes of setting bond when he was administering
13	A Yes.	13 the bond docket?
14	Q How many times did you meet with Judge	14 A I'm sure we did, yes.
15	Hiddle to discuss administration of the bond docket?	15 Q Did he --
16	A I don't know.	16 A And I --
17	Q More than once?	17 Q Go ahead.
18	A Yes.	18 A I -- you probably know this, and I'm
19	Q More than five times?	19 doing what you should never do in a deposition, but
20	A I'm sure there was more than five	20 that is just offering information.
21	meetings.	21 The context of these conversations, it --
22	Q More than ten times?	22 these AO-9 and 10, back in that time, the idea that
23	A Now I don't know. Five to ten sounds	23 we were going to hit the ground running with a
24	like a fair estimate.	24 seven-day-a-week docket was -- I said it before --
25	Q And what did you all discuss about the	25 this in my estimation was going to be a process and

Judge William J. Musseman, Jr.

12/16/2020

106 to 109

Page 106	Page 108
1 not an event. 2 AO-9 and AO-10 were not the end all, be 3 all. They were the first step. I felt that we 4 needed to move on it, and we needed to get started 5 and make corrections and -- you know, course 6 corrections and improvements once we got the docket 7 started. So this was going to evolve into what it 8 is today. 9 The conversations then, based upon that 10 backdrop of information, the conversations I had 11 with Judge Hiddle were logistical. How many people 12 are we able to do in a day? Are you able to hear 13 what they have to say? Are you limited by what they 14 want to say or present to you by time? Are there 15 ways that we could improve this docket? Do you need 16 more time? Do we need to start it at a different 17 time? Do we need to break it out? 18 And we would reference back -- one of the 19 things we did to kind of try to train ourselves to 20 get ready for this was -- in -- in addition to 21 meetings, was observations. I had gone with Judge 22 Hiddle and also the public defender to Oklahoma 23 County to watch and observe the way they did a bond 24 docket. 25 So that builds at least, I think, a fair	1 A I believe I did. I -- I told him on the 2 minutes -- by minute. 3 Q So earlier we talked about the bond 4 reduction hearings that you held as a district court 5 judge on a felony docket. 6 Did you suggest to Judge Hiddle that the 7 same types of findings should be made in -- on the 8 bail docket? 9 A I didn't use me as an example. 10 Q Was your expectation that Judge Hiddle 11 would make findings -- well, let me take one step 12 back. 13 Is there -- did you discuss having a 14 court reporter in the room with Judge Hiddle during 15 the bond docket? 16 A Not that I remember. 17 Q Okay. So earlier when we spoke about the 18 bond hearings that you held in your courtroom, you 19 mentioned that when you did not have a court 20 reporter, you made sure that the clerk entered 21 certain minutes into the written record. 22 Do you remember that discussion? 23 A I remember that discussion. 24 Q Did you instruct Judge Hiddle as to the 25 types of things that needed to be entered into the
1 backdrop of information for you to understand, at 2 least the context and the time that I was meeting 3 with Hiddle. It was very logistical driven. I -- 4 we had a lot of people to get through, and there 5 were times he had frustration that he wasn't able to 6 get to the information he wanted, or how could he 7 get the information he wanted in a timely manner 8 knowing there's 70 people on the docket? 9 Q That makes complete sense to me. And I 10 appreciate that a number of these conversations 11 dealt with logistics. I'm trying to determine if 12 there was anything else, specifically the categories 13 I'm going through, that you discussed with him 14 beyond just those logistical things. 15 So, for instance, did you discuss with 16 Judge Hiddle how to make findings after having made 17 a determination on what the bond amount should be? 18 A I have no independent recollection of 19 that, but I can't -- I -- I'm sure I did. I'm sure 20 he had questions. 21 Q Do you recall what you said to him? 22 A No. 23 Q And did you discuss with Judge Hiddle how 24 those findings should be memorialized in the docket 25 or a written record?	1 minute record for a given bond docket hearing? 2 A We talked about the minutes, and that is 3 the extent of my memory. 4 Q So you don't recall whether you 5 instructed him to provide certain things as a part 6 of the written record? 7 A I do not. 8 Q Okay. All right. At some point, Judge 9 Hiddle -- I actually have this date -- was replaced 10 by Judge Guten on the bond docket, I believe perhaps 11 at the end of 2019, 2020. 12 Does that sound right? 13 A It wasn't 2020. I thought -- yeah, '19, 14 I think. 15 Q You're right. You're right. You have -- 16 you have absolutely corrected me correctly. 17 A Okay. 18 Q I believe maybe it was early in 2019. 19 A Yeah. 20 Q Does that sound more correct? 21 A Yeah. Yeah. 22 Q Okay. So Judge Hiddle was the presiding 23 judge over the bond docket from when it was 24 established in October of 2018 until -- would around 25 February 2019 sound about right to you?